



Agreement

between

the Government of the Kingdom of Cambodia

and

the Government of the Federal Republic of Germany

regarding

Technical Cooperation

in 2019

The Government of the Kingdom of Cambodia
and
the Government of the Federal Republic of Germany,

in the spirit of the friendly relations existing between the Federal Republic of Germany
and the Kingdom of Cambodia,

desiring to strengthen and intensify those friendly relations through technical
cooperation in a spirit of partnership,

aware that the maintenance of those relations constitutes the basis of this Agreement,

intending to contribute to social and economic development in the Kingdom of
Cambodia,

referring to the Summary Record of the 2019 intergovernmental negotiations in Berlin
of 15 May 2019,

have agreed as follows:

Article 1

(1) In pursuance of the Agreement of 6 May 1994 between the Government of the
Federal Republic of Germany and the Government of the Kingdom of Cambodia
regarding Technical Cooperation, the following projects shall be supported:

1. Identification of Poor Households,
2. Programme on Social Health Protection,
3. Regional Economic Development,
4. Study and Expert Fund,

if on examination they have been found eligible for support.

(2) For the projects specified in paragraph (1) above the Government of the Federal Republic of Germany shall make available at its own expense contributions totalling 13,500,000 euros (thirteen million five hundred thousand euros) in the form of personnel, inputs and, where appropriate, non-repayable financial contributions. It shall charge the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH with the implementation of the projects specified in paragraph (1) above.

(3) The Government of the Kingdom of Cambodia shall guarantee that the projects specified in paragraph (1) above are provided with itemised budgets of their own in order to ensure their smooth implementation and shall ensure that the institutions it will charge with implementation provide the necessary contributions for the projects specified in paragraph (1) above.

(4) The commitments for the projects specified in paragraph (1) above and for the technical cooperation sum specified in paragraph (2) above shall lapse without replacement if the implementation and financing agreements referred to in Article 2 of this Agreement are not concluded within a period of four years after the year in which the commitments were made. For the specified amounts the deadline shall be 31 December 2023.

Article 2

Details of the projects specified in Article 1 (1) of this Agreement and of the contributions and obligations shall be laid down in individual implementation agreements and, where appropriate, financing agreements, to be concluded between the institutions charged or to be charged under Article 1 (2) and (3) of this Agreement with the implementation of the projects. These implementation and financing agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3

(1) The Government of the Kingdom of Cambodia shall, in place of the Government of the Federal Republic of Germany, assume payment of the taxes on imported materials, motor vehicles and spare parts used for the projects specified in Article 1 (1) of this Agreement and shall, in place of the Government of the Federal Republic of Germany, meet the cost of licences, customs duties, harbour dues, import and export duties, other public charges and storage fees.

(2) The Government of the Kingdom of Cambodia shall exempt the implementing organisation from all direct taxes incurred in the Kingdom of Cambodia in connection with the conclusion and fulfilment of the implementation and financing agreements referred to in Article 2 of this Agreement.

(3) The Government of the Kingdom of Cambodia shall, at the request of the German implementing organisation, refund value-added tax or similar indirect taxes levied in the Kingdom of Cambodia on goods and services procured in connection with the conclusion and fulfilment in the Kingdom of Cambodia of the implementation and financing agreements referred to in Article 2 of this Agreement. Any consumption taxes levied in this connection shall, on request, be assumed by the Government of the Kingdom of Cambodia.

Article 4

This Agreement shall apply to the projects specified in Article 1 (1) above as well as to future follow-up measures with the same title, provided our two Governments desire to continue support for one or several of the projects. Commitments of support from the Government of the Federal Republic of Germany for follow-up measures for one or several of the projects specified in Article 1 (1) of this Agreement shall be effected by way of an official communication from the Government of the Federal Republic of Germany, which shall expressly refer to this Agreement.

Article 5

In all other respects the provisions of the Agreement of 6 May 1994 between the Government of the Federal Republic of Germany and the Government of the Kingdom of Cambodia regarding Technical Cooperation referred to in Article 1 (1) above shall apply to the present Agreement.

Article 6

- (1) This Agreement shall enter into force on the date of signature thereof.
- (2) This Agreement shall be concluded for an indefinite period of time. Either Contracting Party may terminate it at any time by giving six months' written notice.
- (3) The Contracting Parties may agree amendments to this Agreement.
- (4) Any disputes concerning the interpretation or application of this Agreement shall be settled amicably by the Contracting Parties by means of talks or negotiations.

Done at Phnom Penh on *9 June 2020* in duplicate in the German, Khmer and English languages, all three texts being authentic. In case of divergent interpretations of the German and Khmer texts, the English text shall prevail.

For the Government of
the Kingdom of Cambodia

Sean B. Ohim

For the Government of
the Federal Republic of Germany

Ute Berg